

REMARKS

Claims 1-3, 5, 10-11 and 14-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Parker et al. (U.S. Pat. No. 5,600,789), hereinafter *Parker*. Claim 4 was rejected under 35 U.S.C. § 103(a) as being obvious in view of *Parker* and further in view of Cordero et al. (U.S. Pat. Pub. No. 2001/0044339), hereinafter *Cordero*. Claim 23 was rejected under 35 U.S.C. § 103(a) as being obvious in view of *Parker* and further in view of Bailey et al. (U.S. Pat. No. 6,981,180), hereinafter *Bailey*.¹

By this amendment claims 1, 14, and 22 have been amended.² Claim 21 has been cancelled. Accordingly, claims 1-5, 10-11, 14-20 and 22-23 are pending, of which claims 1, 14, and 22 are the only independent claims at issue.

As noted previously, the application is generally directed to allowing for efficient testing of different interfaces intended to be used with an application program. In claim 1 this is accomplished by identifying an application program interface (API) that is common to each of the interfaces and performing testing on the common API as a representative test for all of the interfaces. A representation of a first value is provided, through a test program, to the application program through the common API. If an expected result is returned, a determination can be made that all of the different interfaces are interoperable with the application program regardless of a user interface that will implement the common API. Claim 1 further recites that another common API is identified and that the test program written for the first API is recompiled using a conversion module to function with the another common API.

Claims 14 and 22 are directed to sending a first value to the application program using each of the plurality of identified interfaces, receiving a plurality of results, where each result corresponds to an interface, comparing the results and using statistical analysis to identify an expected result, and using the expected result as a baseline of comparison to validate results of additional tests using the same application program or same application program interface that is common to each of the plurality of identified interfaces.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the amendments to the claims and for the new claims is found throughout the specification and previously presented claims, including but not limited to paragraphs [0035], [0036], [0044], and [0046].

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

35 U.S.C. 102 and 103 Rejections

With regard to claim 1, claim 1 recites "converting the test program, by, using a conversion module, taking the source code and recompiling source code of the test program to function with at least one of the one or more other application program interfaces, such that the test program is configured to access the identified application program through at least one of the one or more other application program interfaces." For showing this element, the Office Action cites to the different test drivers shown in Figure 15, column 34, lines 4-6, column 34, line 16, and column 34 lines 4-18. In particular, the Office Action seems to equate the test program of the present claims with the test executive and test driver disclosed by Parker. See Office Action at page 3 point c.. The Office Action appears to indicate that the existence of different test drivers shows recompilation of source code to create such drivers. See Office Action at page 3 point g.. However, this is simply not shown nor supported by the disclosure of Parker. Parker simply notes the existence of different drivers without an indication as to whether the drivers were written from scratch, or recompiled from the same source code. Additionally, Parker fails to teach the conversion module, which takes source code and recompiles it as is now recited by the claims of the present application.

With regards to claims 14 and 22, these claims have been amended to recite "comparing the plurality of results with each other and using statistical analysis to identify an expected result; and using the expected result as a baseline of comparison to validate results of additional tests using the same application program or same application program interface that is common to each of the plurality of identified interfaces." These elements are simply not shown by the cited portions of Parker. Rather, the cited portions of Parker illustrate that the same test script is able to drive different GUI's on different machines (column 33, line 54 – column 34 line 17) and simulating user input (column 11, line 57 – column 12, line 31). However, there is simply no discussion in these portions of Parker of "comparing the plurality of results with each other and using statistical analysis to identify an expected result; and using the expected result as a baseline of comparison to validate results of additional tests using the same application program or same

application program interface that is common to each of the plurality of identified interfaces" as is recited by claims 14 and 22.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 15th day of July, 2009.

Respectfully submitted,

/J. LAVAR OLDHAM/

RICK D. NYDEGGER
Registration No. 28,651
J. LAVAR OLDHAM
Registration No. 53,409
Attorneys for Applicant
Customer No. 47973

RDN:JLO:laf
2364112_1.DOC